

# HOUSE BILL 53

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By: **Delegates Luedtke, Cullison, Frick, Hixson, Howard, Kaiser, A. Kelly, A. Miller, Mizeur, Reznik, Ross, Summers, and Zucker**

Introduced and read first time: January 13, 2012

Assigned to: Ways and Means

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Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 21, 2012

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Higher Education – Community Colleges – Tuition Waiver for Disabled**  
3 **Individuals**

4 FOR the purpose of altering a certain requirement for obtaining an exemption from  
5 the payment of tuition at community colleges for certain disabled individuals  
6 who are enrolled in classes for certain continuing education instruction; and  
7 generally relating to tuition waivers for disabled individuals at community  
8 colleges.

9 BY repealing and reenacting, with amendments,  
10 Article – Education  
11 Section 16–106(c)  
12 Annotated Code of Maryland  
13 (2008 Replacement Volume and 2011 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
15 MARYLAND, That the Laws of Maryland read as follows:

16 **Article – Education**

17 16–106.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (c) (1) Any resident of this State who is out of the work force by reason of  
2 total and permanent disability who enrolls at a community college in a class that has  
3 at least 10 regularly enrolled students:

4 (i) Is exempt from payment of tuition ~~for~~:

5 **1. FOR** up to 6 credits per semester or up to 12 credits  
6 per semester if the individual is enrolled in classes ~~as~~

7 ~~1. AS~~ part of a degree or a certificate program designed  
8 to lead to employment; **OR**

9 **2. FOR CONTINUING EDUCATION INSTRUCTION**  
10 **DESIGNED TO LEAD TO EMPLOYMENT, INCLUDING LIFE SKILLS INSTRUCTION;**  
11 and

12 (ii) Shall be counted in computing full-time equivalent  
13 enrollment under § 16-305 of this title.

14 (2) In order to receive this exemption, an individual who meets the  
15 requirements of paragraph (1) of this subsection shall provide the community college  
16 with certification from the Social Security Administration, the Railroad Retirement  
17 Board, or in the case of a former federal employee, from the individual's federal  
18 retirement or pension authority of the individual's:

19 (i) Total and permanent disability; and

20 (ii) Receipt of disability or retirement benefits based on a  
21 standard that is at least as stringent as the standard applied by the Social Security  
22 Act.

23 (3) Certification from the Social Security Administration of an  
24 individual's receipt of disability or retirement benefits under either Title II or Title  
25 XVI of the federal Social Security Act shall satisfy the requirement in paragraph (2)(ii)  
26 of this subsection.

27 (4) (i) In order to receive this exemption, an individual who meets  
28 the requirements of paragraph (1) of this subsection and is enrolled in a degree or  
29 certificate program shall submit a timely application for any State or federal student  
30 financial aid, other than a student loan, for which the student may qualify.

31 (ii) Any student financial aid, other than a student loan,  
32 received by the student shall be applied first to pay the student's tuition.

1                   (iii) Under this exemption, the waiver shall apply to the  
2 difference, if any, between the charge for tuition and the financial aid award, not  
3 including a student loan, that the student receives.

4                   (iv) On request, the community college shall assist any  
5 individual required to submit an application for State or federal student financial aid  
6 under this paragraph.

7                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
8 ~~October~~ July 1, 2012.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.